

REMARKS/ARGUMENTS

Claims 1 remains in the application. Claim 2 has been cancelled. New claims 3-11 have been added. No new matter has been added.

Applicant gratefully acknowledges the courtesy of the interview granted to Applicant's representative, Dr. Jon L.Roberts, on August 17, 2007.

Claim Rejections - 35 USC 103

Claims 1-2 were rejected as allegedly being obvious in view of the published application of Arunapuram et al. Applicant traverses this rejection.

As a whole, Arunapuram et al. is drawn to optimization of a shipping process, and is not concerned with monitoring an existing process and taking action when a process exception occurs, i.e., an event that is unusual and would benefit from human involvement by the process owner. In Arunapuram et al., status information from the Crossdocks 314, Warehouses 316, Distributors 312, and Carriers 322 are part of the process itself, such that there is no *additional* monitoring or processing other than what was already part of the existing shipping process. In the present invention, a process is identified and then *additionally* monitored for process exceptions.

According to the Office Action, 3 paragraphs (0046-0048) of Arunapuram et al. disclose a method and apparatus for using process exceptions to provide instant notification for distributed processes. The Office Action alleges that status information from Crossdocks 314, Warehouses 316, Distributors 312, and Carriers 322 are information sources that are detected by shipment status interface 406, the shipment status interface 406 processes the stimulus to generate an exception in the form of an alarm, and communicates the exception/alarm to a message controller in the form of the customer status interface 408. However, shipment status interface 406 does not process information or send messages to customer status interface 408 (these steps are done by EX module 400). Indeed, rather than detecting process exceptions, and transmitting them to messaging controllers over primary and alternate communication mechanisms, *as a*

whole, Arunapuram et al. merely discloses the automatic processing of shipping status by a transportation manager program or module (i.e., EX module 400).

According to Arunapuram et al., *"the execution module 400 contains a shipment status interface 406 for use by the carriers 322 (both external and internal), warehouses 316, crossdocks 314 and distributors 312. The information transferred into the execution module 400 via shipment status interface 406 conveys information about shipments that are scheduled for delivery or en route including when the carrier expects the route to leave, when the route has left a distribution center, when the route has arrived at a particular crossdock or warehouse, as well as expected delays either at the carrier end or at the location end. The execution module 400 is able to use this shipment status information to provide updates to customers 320 or sales offices 318 via the customer status interface 408 as shown" and "The EX shipment status interface 406 as depicted in FIG. 4 delivers shipment status messages to the EX module 400 from carriers 322, distributors 312, warehouses 316, and crossdocks 314, etc., regarding a load or shipment while the load or shipment is en route. These status messages can include update information such as expected early or late arrivals, on time shipments received, or shipment completed and/or cancelled. When such messages are sent in real time from a carrier, these messages can be used to control alarm generation within the EX module 400. Such alarms, for example, can be used to send shipment status notifications to a transportation manager 309 via manager interface 404, or to sales offices 318 or to customers 320 via the customer status interface 408."*

Since all of the actions referred to by the Office Action occur within a single module or program, there would clearly be no need for a secondary communication mechanism. In fact, it is unclear whether an *internal* computer bus running the EX module would even qualify as the first or primary communication mechanism within the broadest reasonable interpretation *consistent with the specification* (see MPEP 2111), which lists communication mechanisms as *external* communication mechanisms such as a local area network, the Internet, a modem, mobile phones, satellite, or pagers.

In view of this, it is clear that there would be no reason (absent impermissible hindsight) to provide Arunapuram et al. with a secondary communication mechanism as suggested by the Office Action.

New Claims

New claims 3-6 depend on allowable process claim 1 and are allowable as being dependent on an allowable claim. New claims 7-11 are system claims that are meant to be coextensive with the process claims 1 and 3-6 and are allowable for the same reasons.

Conclusion

For the reasons cited above, Applicant submits that claims 1 and new claims 3-11 are in condition for allowance and requests reconsideration of the application. If there remain any issues that may be disposed of via a telephonic interview, the Examiner is kindly invited to contact the undersigned at the local exchange given below.

Respectfully submitted,

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